

PLANNING BOARD
TOWN OF WILBRAHAM
240 Springfield Street
Wilbraham, Massachusetts 01095

Jeffrey Smith, Chairman
John McCloskey
Tracey Plantier
David Sanders
James Moore, Associate



John Pearsall, Planning Director
Heather Kmelius, Adm. Asst.

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MINUTES OF THE WILBRAHAM PLANNING BOARD
WEDNESDAY, JUNE 1, 2016

In attendance: Jeffrey Smith, Chairman
John McCloskey
Tracey Plantier
David Sanders
James Moore, Associate

Staff: John Pearsall, Planning Director
Lance Trevallion, Building Inspector (Departed at 9:40 PM)
Heather Kmelius, Administrative Assistant

Chairman Smith called the meeting to order at 6:31 PM and asked those assembled in the room to proudly join the Planning Board in the recitation of the Pledge of Allegiance.

1. Post-Election Annual Reorganization of the Planning Board

Election of Officers:

MOTION (MCCLOSKEY, SMITH): I move that the Board re-elect Jeffrey Smith as Chair to take effect at the conclusion of this meeting. Approved (4-0).

MOTION (MCCLOSKEY, SMITH): I move that the Board re-elect Tracey Plantier as Vice-Chair to take effect at the conclusion of this meeting. Approved (4-0).

MOTION (SANDERS, PLANTIER): I move that the Board elect John McCloskey as Clerk to take effect at the conclusion of this meeting. Approved (4-0).

MOTION (SANDERS, MCCLOSKEY) I move that the Board elect Tracey Plantier as Commissioner to the Pioneer Valley Planning Commission to take effect at the conclusion of this meeting. Approved (4-0).

MOTION (MCCLOSKEY, PLANTIER): I move that the Board re-elect Jeffrey Smith to serve a three year term on the Community Preservation Committee to take effect at the conclusion of this meeting. Approved (4-0).

David Sanders indicated a willingness to continue to serve as Alternate Commissioner to the Pioneer Valley Planning Commission if re-appointed by the Selectmen. The Planning Board supported his re-appointment.

2. **Approval of Minutes**

Chairman Smith called for a motion to approve the minutes of May 11, 2016 and asked if there were any comments or revisions. A Board member's name on one of the recorded motions was corrected.

MOTION (PLANTIER, MCCLOSKEY): I move that the Board approve the minutes of the May 11, 2016 Planning Board meeting as amended. Approved (4-0).

3. **Citizens Open Forum**

No citizens took advantage of the open forum opportunity.

4. **Building Commissioner's Report**

Building Commissioner Lance Trevallion provided updates on various building development and zoning enforcement issues in town. The owner of 2048 Boston Road would like to remove the billboards on the property as the cattails in the wetlands can no longer be cutback according to the DEP. The owner is looking to remove the billboards with a crane from the abutting property's parking lot. The large scale ground mounted solar energy system installation has begun at 651 Main Street. The lot has been cleared, the service road and detention basin are completed, and the site work overall is generally completed. There are two current worksite entryways via Tinkham Road access; the east entryway will be closed when the work is finalized. Work on the solar project at 2720 Boston Road is progressing. The project will install fewer panels than its permit allows. Gravel is being brought into various locations on site and stanchions are being installed. This project does not have a "go live" date projected. The work for the new police station at 2780 Boston Road Police station is ongoing. The foundation is being poured and backfilling will commence soon. A cost estimate of \$40,000-\$47,000 was received recently to run the gas line to the new station. As anticipated with a project of this size and scale, several change orders have been necessary.

5. **Miscellaneous Information**

David Sanders and Tracey Plantier will attend the PVPC Annual Meeting on June 9, 2016.

6. **Public Hearing**

**Special Permit (SP16-02) Detached Garage
Valentine Residence, 212 Springfield Street**

(Digitally recorded)

Chairman Smith opened the public hearing at 6:50 PM and read the legal notice into record. Mary Valentine, along with her Attorney Rebecca Thibault, presented plans to replace the detached barn on her property that burned down on July 1, 2015. The new structure measuring 51 feet by 72 feet will be located atop the existing footprint but will be larger than the previous structure as Ms. Valentine would like ample space to accommodate her dog agility training arena and training equipment as well as storage for her twelve foot, seven inch tall RV. The proposed structure is approximately 31 feet in height and has an area of 3,672 square feet. A standard dog agility training arena is 100 feet by 100 feet. Ms. Valentine solely trains her competitive dogs at her residence; she does not board or kennel animals. The new barn will be a matching style to the former barn, constructed out of metal instead of wood. The additional garage doors will facilitate storage of her RV as well as enhance the accessibility for her dog training needs. The proposed barn has a mezzanine level for storage accessible by stairs. A "Birch Hollow Farm" sign will be replaced on the new building. Electricity will be the only installed utility. The former propane tank will not be replaced and the old tank will be properly removed. Ms. Valentine mailed a personal letter to abutters outlining her building plans which prompted two letters of support addressed to the Planning Board for Ms. Valentine's plans from Pat O'Connor, resident of 222 Springfield Street and Mark and Michelle Emirzian, residents of 226 Springfield Street. Police and fire departments do not have any objections to the proposed building.

Attorney Mark Beglane, representing Janine McGahan, resident of 200 Springfield Street, outlined concerns regarding the new plans stating that the town by-law reads that accessory structures should be significantly smaller in size than the principle structure. Attorney Beglane stated that he was not able to find a permit on record for the propane tank on the property currently. He also stated that there is a 1,000 gallon tank underground that does not have an identified purpose and is concerned it is an unpermitted septic holding tank. Ms. McGahan stated her concerns about the overall size of the structure and its impact on her as a direct abutter. She also has concerns about previous permits that were not properly obtained through the town for previous issues.

Attorney Rebecca Thibault, representing Mary Valentine, stated that Ms. Valentine's structures, including the new proposed building, cover about three percent of her twelve acre lot which is significantly less than the maximum coverage of twenty five percent allowed by the town by-law. She stated that the primary structure has 6,000 square foot gross area and new barn is only 3,672 square feet in area. Ms. Valentine has the right to rebuild her barn and would like to build the replacement to suit her needs, while also maintaining the town's character. Planning Director John Pearsall confirmed that accessory buildings tend to be smaller than the principle structure on a property but exceptions are allowed by special permit from the Planning Board.

Mr. and Mrs. John Stambaugh, current residents of Mystic, CT and former residents of 212 Springfield Street, stated that all work on the property was permitted properly during their ownership of the property. Naureen Bennett of Belchertown and Christine McNamara, resident of 28 Brookside Drive in Wilbraham, both dog training affiliates of Ms. Valentine's, spoke in support of her dog training facility proposal. Pat O'Connor, resident of 222 Springfield Street, stated that the microburst destroyed significant vegetation in their neighborhood. She supports Ms. Valentine's plans to rebuild her barn following the unavoidable fire and the vegetation buffers that she will plant will be an asset to the neighborhood and improve its restoration.

Ms. Valentine stated she would be comfortable with the Special Permit with a condition limiting her to having five to six dogs at one time residing at her home, although she typically only has three dogs in training at a time. The Planning Board agreed a site walk was necessary in this matter and voted to continue the hearing to the next scheduled meeting.

MOTION (PLANTIER, MCCLOSKEY): I move that the Board continue the public hearing to June 22, 2016 at 6:45 PM. Approved (4-0).

The hearing ended at 8:15 PM.

7. Public Hearing
Special Permit (SP16-03) Detached Garage
Esteves Residence, 16 Iroquois Lane
(Digitally recorded)

Tracey Plantier recused herself because of potential conflict of interest concerns as a neighborhood abutter in this matter. She consulted with the Massachusetts State Ethics Board who advised her that she can speak on her own behalf as a member of the audience. Ms. Plantier relocated from the Board seating area to the audience seating area and declared that she was representing herself. Chairman Smith appointed Associate James Moore to serve as the alternate voting member for this public hearing.

Chairman Smith opened the public hearing at 8:23 PM and read the legal notice into record. Manuel Esteves appeared before the Board to propose to build a 24 foot by 26 foot garage/shed with a building footprint area of 624 square feet and a maximum height of approximately 25 feet. Mr. Esteves has outgrown his current three gar garage as well as his existing detached shed. He has three vehicles and large amounts of yardwork equipment, recreational bikes and other items that need proper storage. Mr. Esteves intends to remove the existing shed and replace it with the larger

proposed structure that will be surrounded with bushes. Ms. Esteves stated that several homes in the neighborhood have sheds on their property located outside of their building envelopes that are comparable to his proposed structure. Mr. Esteves was advised by the Planning Board not to cut any further trees on his property in preparation for the new proposed shed as he resides in the Ridgeline and Hillside District in the elevation higher than 550 feet.

Planning Director John Pearsall stated that the Indian Ridge Estates housing development was the first subdivision developed under the flexible zoning regulations where each lot had specific building envelopes where the buildings could be located. Mr. Esteves is seeking to construct a detached accessory building which requires Planning Board approval both because of its size and location outside the approved building envelope. The Planning Board's review and decision in this hearing will focus on the size of the accessory building to make sure that its use is in harmony with the property and neighborhood, that the building is suitably located, and that it is compatible in scale with other structures.

Several abutters were present to oppose the building plans. Bob Martin, resident of 20 Iroquois Lane, stated that his scenic view is completely blocked by the proposed shed's height. Strati Patrakis, resident of 18 Iroquois Lane, stated that he can see the existing shed in his view now and would not like to see a larger structure in its place. Lenny Parzych, resident of 1 Iroquois Lane, stated his discontentment that the neighborhood covenants are being ignored and does not agree that any sheds should be allowed whatsoever. David Plantier, resident of 14 Algonquin, stated that the building envelopes should be honored and that the only exceptions in the matter should be considered when hardship is incurred regarding pertinent issues regarding wells, septic and other necessities. He stated that the proposed building structure does not improve the neighborhood home values. He further stated that the Planning Board's decision in this matter will set a precedent for the future of the neighborhood. Tracey Plantier, resident of 14 Algonquin, supported the neighborhood's preservation. Ron and Carol Charest, residents of 22 Iroquois Lane, stated that the existing covenants have been in place for 26 years and clearly state that no accessory building should be allowed.

Mr. Esteves challenged the definition and interpretation of "building envelope" and its applicability in this matter. This question may need review by Town Counsel for clarification. Mr. Esteves, in response to several abutters being present and opposed to his plans, stated that he might scale down his proposed building to a size that does not require Planning Board approval as several of his neighbors have also done. He is considering proposing a 24 foot by 20 foot shed with a square footage of 480 feet, a maximum height of 16 feet and no garage doors as it does not require obtaining a building permit.

The Planning Board agreed a site walk was necessary in this matter and voted to continue the hearing to the next scheduled meeting.

MOTION (MCCLOSKEY, SANDERS): I move that the Board continue the public hearing to June 22, 2016 at 7:00 PM. Approved (4-0).

The hearing ended at 9:32 PM.

8. **Appointment – Anthony Carnevale**

The Board met with Anthony Carnevale regarding the following issues:

A. **Washington Heights Performance Security Reduction**

MOTION (PLANTIER, MCCLOSKEY): I move that the Board approve the recommendation of the DPW to reduce the amount of performance security being held for the Washington Heights Subdivision to \$10,080 and to authorize the Treasurer to return funds in excess of this amount to the developer. Approved (4-0).

B. **Daniele Drive Subdivision Performance Security Release**

MOTION (PLANTIER, SANDERS): I move that the Board certify the satisfactory completion of the Daniele Drive Extension Subdivision, release performance security being held for the Daniele Drive Subdivision and authorize the Treasurer to return said funds to the subdivider. Approved (4-0).

C. **Proposed Home – Lot 8, 10 Willow Brook Estates**

John McCloskey recused himself because of potential conflict of interest concerns and left the room. Planning Director John Pearsall advised the Board of the typo on the agenda and correctly identified that the address in this matter is 10 Willow Brook Estates and the proper lot number is eight.

MOTION (PLANTIER, SANDERS): I move to approve the request of Anthony Carnevale to allow the construction of a home in the Willow Brook Subdivision on Lot 8 (10 Willow Brook Lane) as shown on the submitted site grading plan subject to the following conditions: (1) the building permit must be issued in 601 Main Street, LLC's name only; (2) all work shall be undertaken at the sole risk of Mr. Carnevale who shall accept complete liability for any financial consequences of strict noncompliance with existing town requirements; and (3) the property may not be sold and the home may not be occupied until the minimum subdivision infrastructure requirements have been satisfactorily completed and the subdivision covenant has been released by the Planning Board. Approved (3-0) with McCloskey recused.

9. **Planning Board Vacancy**

James Moore, the Associate member of the Planning Board expressed interest in filling the vacancy on the Planning Board. The Planning Board will schedule a joint meeting with the Selectmen to discuss appointing Mr. Moore to the vacant position and to also discuss appointing a new Associate member to the Board.

10. **Zoning Reform Update (Senate Bill 2144)**

Planning Director John Pearsall presented the bill to the Board and explained that it has potential to pass in the Senate, but not in the House. The bill's purpose is to drive changes that help ease the Eastern Mass housing crisis although the bill contains changes that would significantly impact Wilbraham. The Board would like to research this bill further and also invite Massachusetts Representative Angelo Puppolo and/or Massachusetts Senator Eric Lesser to a future meeting to discuss the potential changes.

11. **Planning Board Reports**

No reports at this time.

12. **Summer Meeting Schedule**


The Planning Board will meet on June 22, 2016, July 27, 2016 and August 24, 2016.

13. Other Business – Reserved for Matters the Chair Did Not Reasonably Anticipate at the Time of Posting

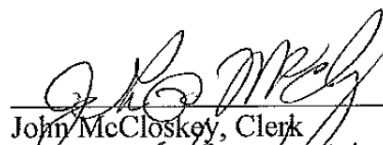
Dorothy Pepin, resident of 802 Glendale Road, the former Bennett Tree Farm location, in cooperation with Mr. Dan Fernandes of Wilbraham have proposed a seasonal roadside self-service farm stand to operate at 802 Glendale Road this summer. It will sell fruit, vegetables and flowers primarily grown on site. The applicants would like to waive the public hearing requirement as permitted in the zoning by-law. The Board agreed a letter will be mailed to abutters in lieu of a public hearing inviting them to a public meeting on June 22, 2016 to discuss the farm stand and any feedback about the plans. The Board will review the plans at the meeting.

Having no further business, the meeting was adjourned by unanimous consent at 10:25 PM. The Board will reconvene at its next scheduled meeting on Wednesday, **June 22, 2016 at 6:00 PM** in the Selectmen's Meeting Room.

Submitted:


Heather Kmelius, Administrative Assistant
Date: 6/22/16

Approved As To Form And Content:


John McCloskey, Clerk
Date: 6/22/16